

(C) Submits a statement(s) that a pre-examination search was made, listing the field of search by class and subclass, publication, Chemical Abstracts, foreign patents, etc. A search made by a foreign patent office satisfies this requirement:

- (D) Submits one copy each of the references deemed most closely related to the subject matter encompassed by the claims if said references are not already of record; and
- (E) Submits a detailed discussion of the references, which discussion points out, with the particularity required by 37 CFR 1.111 (b) and (c), how the claimed subject matter is patentable over the references.

Petitioner submits one copy of each of the references most closely related to the subject matter encompassed by the claims and submits a statement that a search has been made and provides a list of the field of search by class and subclass. Therefore, the petition complies with items (C) and (D) of the items mentioned above. Applicant submits a fee under 37 CFR 1.17(i), instead of 37 CFR 1.17(h). However, since the fee is the same in both cases, it has been accepted as having been filed under 37 CFR 1.17(h). Therefore, the petition complies with item (A) mentioned above. However, the petition is deficient with respect to items (B) and (E) above:

(B) Applicant states that all the claims are directed to a single invention. Since there are several independent claims, each having a different scope, it will be up to the examiner to make such a determination. Applicant has made no provision for the possibility of a restriction requirement by the examiner. Applicant must provide the following statement as a prerequisite to a grant of special status: "If the Office determines that all claims presented are not obviously directed to a single invention, applicant will make an election without traverse and will follow established telephone restriction practice to make such an election if requested to do so."

(E) Applicant has failed to provide a detailed discussion that points out, with the particularity required by 37 CFR 1.111(b) and (c), how the claimed subject matter is patentable over the references. For each of the first two references cited, applicant uses less than two lines to briefly describe the field of endeavor of each reference, followed by a paraphrase of claim 1. This does not meet the requirements of 37 CFR 1.111(b) and (c).

Therefore, the Petition is **DISMISSED**. The application file will be forwarded to the Central Files of Technology Center 2100 to await examination in its proper turn based on its effective filing date. Petitioner is entitled to one opportunity to perfect the request in a renewed petition to make special. Any request for reconsideration must be filed within TWO MONTHS of the mailing date of this decision.



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